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FIREARMS REGULATION: A BRIEF TO THE UNITED NATIONS CRIME PREVENTION AND CRIMINAL JUSTICE COMMISSION

Sao Paulo, Brazil
December 8, 1997

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Firearms Regulation: A Brief to the United Nations Crime Prevention and Criminal Justice Commission. Sao Paulo, Brazil, December 8, 1997

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(The Friends World Committee on Consultation and the World Society on Victimology)

Executive Summary

Firearms regulation is an essential part of any strategy to build safer communities. It is particularly important in countering domestic violence, in ensuring the safety of children, and in preventing youth crime. Firearms regulation is not firearms abolition. In Canada, as in other countries, firearms are used for many legitimate purposes but they are also misused. They figure prominently in criminal activities, in domestic violence, in suicide, and they threaten the safety of children.

The firearms which are misused come from several sources: legal firearms, firearms which are taken or stolen from their lawful owners, firearms which are bought legally and sold illegally, and firearms which are illegally imported. While those intent on criminal activities may find other sources of firearms, easy access to legal firearms plays a role in impulsive acts, domestic violence, suicide, accidents, and crimes, particularly those involving youth. Proper screening reduces the likelihood that firearms will be misused by their owners. Safe storage reduces accidents involving children, theft, and impulsive use. Effective tracking systems help reduce the trafficking of legal firearms and assist police in taking preventative action and enforcing the law.

Canada has recently introduced a new regulatory framework, which like many other countries, requires licensing firearms owners, systems to track firearms, safe storage of all firearms, and import/export controls. These elements closely parallel the regulatory approach to the civilian use of firearms outlined in the resolution of the UN Commission on Crime Prevention and Criminal Justice. The new Canadian law also regulates the sale of ammunition. Sales of military style weapons and some small handguns are prohibited because the risk they pose outweighs their utility. However, there are limits to how much a country can achieve by working on its own and international cooperation is essential to help stem the flow of illegal firearms.

In Canada, these measures are supported by more than 350 diverse community and non-governmental organizations. Non-governmental organizations with expertise in community safety, human rights, and violence prevention have played a critical role in developing and implementing firearms regulations around the world. All citizens of the world have a fundamental right to be safe from the threat of firearm violence. The UN

and member states should work together to ensure they fulfill their obligations to preserve this right.

Based on this experience, we would recommend that:

1. The UN and member states should encourage the active participation of Non-Governmental Organizations aimed at improving public safety to provide essential expertise and help mobilize support to the initiatives. For example, NGOs can assist in examining risk assessment in screening firearm owners, and in developing training and education programs for the public, gun owners, and professionals to increase compliance and awareness (ie. by collecting, analyzing and disseminating data).

2. The UN and member states should recognize the importance of firearms regulation in preventing violence against women, in promoting justice for victims of crime, in addressing the problem of children and youth as victims and perpetrators of crime, in re-establishing or strengthening the rule of law in post-conflict peace building projects, and it should promote coordination and information sharing among relevant initiatives.

3. The UN should continue to encourage data gathering and validation regarding firearms and their regulation as well as information sharing among countries.

4. Member states should be assisted in implementing effective regulatory schemes which include:

- safe storage regulations for all firearms to reduce inappropriate access
- education and training programs to support compliance and effective implementation
- appropriate enforcement and sanctions for firearms misuse
- a licensing scheme to prevent the possession of firearms by individuals who pose a risk to themselves or others
- a record keeping system to track firearms, reduce illegal trafficking, and support law enforcement

5. Member countries which have not already done so should ban the export, sale or transfer of military weapons to civilians.

6. The development of international standards and agreements for identifying, tracking and tracing firearms must be an international priority. In addition, systems should be developed to track the sale of ammunition and firearm components more effectively.

7. The declaration of principles should explicitly acknowledge the obligation of the United Nations and member states to protect civilians from the threat of firearms violence. Not only do member states have an obligation to protect citizens within their borders but they also have an obligation to ensure that their regulatory schemes do not jeopardize the safety of citizens in other countries. Regulatory schemes must be supported by effective implementation and enforcement.

8. The resolutions of the Crime Prevention and Criminal Justice Commission should be strongly supported. A comprehensive action plan with a specific timetable must be developed to implement them. Resources must be provided to ensure that all member states have sufficient capacity in the area of firearms regulation.

Introduction

Let me begin by congratulating the UN Crime Prevention and Criminal Justice Division's excellent study on firearms regulation which makes a major contribution to our understanding of this important issue. The Crime Prevention and Criminal Justice resolutions not only have the support of many governments but they also have the wholehearted support of many Non-Governmental Organizations working to promote safer communities. I wish a perspective which will support and reinforce the importance of your work.

I am attending this meeting on behalf of the Friends World Committee on Consultation and the World Society of Victimology who are but two of the Non-Governmental Organizations with a keen interest in your work. I will provide a perspective from Canada where over 350 Non-Governmental Organizations have endorsed measures similar to the ones contained in your resolutions. The list of Coalition supporters is attached (see appendix 1) but you will note that they include diverse groups such as:

- Canadian Association of Chiefs of Police and local police associations
- The Canadian Public Health Association, Canadian Association of Emergency Physicians, Canadian Trauma Association
- Canadian Criminal Justice Association and Canadian bar Association
- Quaker Committee on Justice and Jails, the Mennonite Central Committee, the Church Council on Justice and Corrections, the United Church of Canada, the Canadian Jewish Congress
- CAVEAT and Victims of Violence International
- The Canadian Labour Congress and Canadian Auto Workers
- YWCA of Canada, Canadian Federation of University Women, Catholic Women's League

Despite their divergent perspectives on the issue - some are focused on law enforcement, some on violence prevention, some on suicide prevention, some on restorative justice and offenders rights, some on victims rights, some on human rights and conflict resolution - these groups came together to work towards making communities safer. A common theme was the importance of investing in prevention. Increasingly in Canada, the police believe that they must work collaboratively with community organizations to promote safety and prevent crime. They also maintain that gun regulation measures are part of a comprehensive community policing strategy. Non-governmental organizations have contributed a wealth of research on the problems of firearms and approaches to reducing violence. They have also mobilized communities to work collaboratively on implementing solutions.

Recommendation 1: The UN and member states should encourage the active participation of Non-Governmental Organizations aimed at improving public safety to provide essential expertise and help mobilize support for the initiatives. For example, NGOs can assist in examining risk assessment in screening firearms owners, developing training and education programs for the public, gun owners, and professionals to increase compliance and awareness (ie. by collecting, analyzing and disseminating data).

The Canadian Experience

Canada is a gun owning country. Roughly 26% of households have at least one firearm and in some communities, particularly the north, as many as two thirds of households have firearms. It is therefore essential to emphasize that firearms regulation is not firearms abolition. While opponents of regulation will suggest that any efforts to improve controls are part of a hidden agenda, in Canada, we believe that firearms serve many legitimate purposes and the focus of our efforts has been to reduce their misuse.

Compared to many countries, Canada is quite safe. However, when seen in the context of some other industrialized countries, it is apparent that we can do better. It is also apparent that Canada's new law , passed two years ago, simply brings us in line with many other countries which license firearm owners and track guns. The international perspective has been invaluable in providing us with information about approaches that work and again I wish to underscore the importance of what the United Nations Commission on Crime Prevention and Criminal Justice is doing.

As true in many other countries, public debate over gun control was sparked by a horrific tragedy. On December 6, 1989 a man walked into a Montreal Engineering University - l' École Polytechnique - systematically separated the men from the women and shot 28 people, killing fourteen young women with a semi-automatic military weapon. But while the Montreal massacre galvanized public opinion, Canada's NGOs were concerned about more than the deaths of 14 women, they were concerned about the 1400 Canadians killed each year with guns. The debate was framed in a variety of ways; for some it was about controlling crime, for some it was about reducing suicide, for some it was about countering violence against women, for some it was about keeping children safe, for some it was about preventing people from ruining their lives through impulsive actions, for others it was about countering the culture of violence and reinforcing positive values. Still others were concerned about fundamental human rights to safety and security. The victims of gun violence and their families played a critical role in focusing public attention on what was really at stake. Regardless of the perspective however, what linked all these groups was an understanding that while one must deal effectively with the primary causes of violence, one must also deal with the agent. In this case the agent was the firearm itself.

Experts from a variety of disciplines - public health, suicide prevention, criminology, domestic violence, emergency medicine - provided research that was critical to the formulation of policy. The focus was shifted from experts with knowledge of firearms to experts in crime and injury prevention. Their studies and testimony revealed that firearms figured prominently in many problems:

- Firearms are used in approximately 7000 robberies per year.[1]
- More than 3000 firearms are reported lost or stolen every year, by definition falling into the hands of criminals.[2]
- Unsafe storage of firearms is a factor in many crimes and injuries involving youth because impulsiveness is often a factor.[3]
- From a public health perspective, firearms death and injury - whether intentional or unintentional - are a serious threat to the health of Canadians. Although the absolute numbers are not large, the fact that many of the deaths are preventable makes them a major cause for concern.[4]
- The cost among young people is particularly high: firearms deaths are the third leading cause of death among young people 15-24.[5]
- Canada is fifth among industrialized countries in the death rate among children under the age of 14. Many of these are a result of firearms being unsafely stored.[6]
- Firearms account for 1/3 of successful suicides and they significantly increase the lethality of attempts. When access to firearms is reduced, other means are not always substituted.[7]
- Most firearm owners are men but many of the victims of firearm assaults are women. Legally owned rifles and shotguns are the weapons of choice when men kill their wives and they figure prominently in the cycle of violence. On average women are assaulted more than 30 times before they follow through with charges but information often exists which suggests that there is a problem. The presence of firearms in situations of domestic violence increases the risk to the parties involved as well as to the police.[8] Concern about the role of firearms in domestic violence has been expressed by NGOs in a number of countries.
- Rifles and shotguns are most commonly used to kill and most of them were at one time legally owned.[9]

Effectiveness of Firearms Regulations

A number of researchers have maintained that there is sufficient evidence to conclude that rates of firearms death and injury are linked to the accessibility of firearms. Access to firearms may be defined in a number of ways including: the percentage of households where firearms are present (or various surrogate measures) or the ease with which individuals can obtain firearms and ammunition in a given place at a given time.

The accessibility thesis has also been supported by studies examining the effects of legislation on death and injury rates in Canada.[10] A more recent study suggests that changes to Canada's gun control law have had an effect on accidental firearm death

rates, particularly in males. While the complexity of factors influencing death rates and crime, particularly over time, makes longitudinal analysis particularly difficult, Criminologist Neil Boyd concluded that:

"In three separate forms of statistical analysis - exploratory, time-series and structural researches have found evidence to suggest that gun control has had an impact on homicides and firearm homicides. The finding that an amendment to criminal law can change behaviour in the direction desired is unusual. We have had many amendments to Canadian criminal law during the past 40 years... In none of these circumstances has it been possible to establish that a change in law can impact behaviour in the direction that the law hopes for or anticipates. With gun control legislation, we have some preliminary evidence - some strong suggestions - that the criminal law is working. And it is working, not by manipulating penalty levels for specific forms of crime, but by putting a regulatory system in place that can limit access to firearms, enhance the safety of firearm use, and, in a more general sense, educate the public with respect to the dangers inherent in widespread availability of these potentially lethal commodities.[11]

Recommendation 2. The UN and member states should recognize the importance of firearms regulation in preventing violence against women, in promoting justice for victims of crime, in addressing the problem of children and youth as victims and perpetrators of crime, and in re-establishing or strengthening the rule of law in post-conflict peace building projects and should promote coordination and information sharing among relevant initiatives.

International Comparisons

Canada has learned a great deal from the international experience with firearms regulation. Many consider firearms regulation, for example, to be one of the factors accounting for the differences in the rates of gun crime and violence between Canada and the United States.[12] Canada has always had stronger firearms regulation than the United States, particularly with respect to handguns which have been licensed and registered since the 1930's. Ownership of guns has never been regarded as a right and several court rulings have reaffirmed the right of citizens to be protected from guns.[13] Handgun ownership has been restricted to police, members of gun clubs or collectors. Very few (about 50 in the country) have been given permits to carry handguns for "self-protection". This is only possible if an applicant can prove that their life is in danger and that the police cannot protect them. As a result, Canada has roughly 1 million handguns while the Unites States has more than 77 million. Although there are other factors affecting murder, suicide and unintentional injury rates, a comparison of data in Canada and the United States suggests that access to handguns may play a role. While the murder rate without guns in the US is roughly equivalent (1.3 times) that of Canada, the murder rate with handguns is 15 times the Canadian rate. On the surface at least, this does not suggest that encouraging widespread arming of civilians results in lower crime and death rates.[14]

Figure 1: US/CANADA COMPARISONS[15]

	Year	Canada	US	US/CAN
Population	1995	30 m	263 m	
Number of All Firearms	1993	7 m	223 m	
Number of Handguns	1993	1 m	77 m	
Guns per capita		.24	.84	3.5x
Firearms Death and Crime Statistics (per 100,000)				
Accidental deaths with Firearms	1994	0.2	0.5	2.5x
Murders with Firearms	1994	0.6	6.9	11.5x
Suicides with Firearms	1994	4.1	7.2	1.8x
Total Firearms Deaths	1994	5.1	14.8	2.9x
Murders with Handguns	1995	0.3	4.5	15x
Murders without Guns	1995	1.4	2.2	1.6x
Robberies with Guns	1995	23	90.6	3.9x

We also considered international comparisons. For example, one study concluded that there is a direct link between ownership of firearms and the deaths within Canadian provinces, the United States, England/Wales, and Australia. Miller argues that 92% of the variance in death rates was explained by access to firearms in those areas.[16]

The international experience with firearms regulation and comparative mortality statistics tend to reinforce the thesis that there is a link between access to firearms death in industrialized countries, although there are issues around uniform reporting and other variables that must be addressed. For example, a review of 13 countries showed a strong correlation between gun ownership and gun suicide that was also significant, as was the correlation of gun ownership with overall suicide rates. Killias found no evidence of a compensation process whereby other means were substituted with firearms.[17] In another study, based on a standardized survey of victimization in fifty-four countries, gun ownership was significantly related to both the level of robberies and the level of sexual assaults. The relationship between levels of gun ownership and threats/assaults with a gun is also strong. Van Dijk also concluded that high levels of gun ownership such as in the USA, the former Yugoslavia, South Africa and several Latin American countries are strongly related to higher levels of violence generally.[18] While more research could illuminate the interaction between a range of factors which influence firearms violence and suicide, there are strong suggestions of an important relationship between access to firearms and the firearms death rates and crime. Some have suggested that in addition to having practical effects by reducing inappropriate access to firearms, firearms regulation shapes as well as reflects values which has an effect on other forms of violence.[19]

Recommendation 3. The UN should continue to encourage data gathering and validation regarding firearms and their regulation as well as information sharing among countries.

Controlling the Supply of Guns in Canada

Complex solutions are required for complex problems. An effective crime prevention or injury prevention strategy must address root causes which create the demand for firearms. Canada is one of many countries which advocates a social development approach to crime prevention[20] and like many countries, has a variety of educational programs aimed at countering the culture of violence.

While these approaches are essential, considerable effort has been directed towards the supply side of the firearms problem, by reducing inappropriate access to firearms and by keeping firearms away from individuals considered to pose a risk. In order to develop an appropriate approach to controlling access to firearms, it is critical to understand the source of firearms used in crime, suicide and unintentional injury. While Canada's particular firearms mix is distinct, most countries appear to have similar elements although they may be present in different proportions. For example, in some regions such as South Africa, the flow of guns between military and former military sources is an issue.[21] In Canada, for the most part, it is not.

The Firearms Smuggling Work Group which conducted the largest empirical study ever in Canada, documented the source of 8879 guns recovered by 10 polices forces.[22] Overall, of the firearms recovered in crime:

- almost half (47%) were rifles and shotguns
- 21% were handguns and, of those which could be traced, 40% had been previously registered
- 4% were prohibited weapons
- 28% were airguns, replica firearms etc.

A subsequent study in Winnipeg, Manitoba revealed similar proportions. Another study undertaken in five communities showed that rifles and shotguns were most common.[23] Typically, however, in large cities such as Montreal, Toronto, and Vancouver, a higher proportion of handguns were recovered, many of which had been illegally imported. Those cities also typically have more stranger on stranger assaults and homicides than smaller communities.

Firearms which are misused in Canada come from four principal sources:

- *Firearms which are misused by legal owners*; typically these are used in impulsive acts, domestic violence, suicide and accidents. Easy access to firearms can escalate an assault into a homicide and it increases the chances that a suicide attempt will succeed. In areas of Canada where there are higher rates of gun ownership,

particularly rifles and shotguns, there tends to be higher rates of firearms death, mostly involving rifles and shotguns. Some of these firearms are misused by their owners, others are stolen.

■ *Firearms which are taken or stolen from legal gun owners*; legal firearms which are obtained by children and youth figure prominently in accidental deaths, suicide and youth crime. Stolen guns also fuel the illegal market - over 3,000 are reported stolen each year.

■ *Firearms which are bought legally and sold illegally*: this includes trafficking and leakage of importation between the border and point of sale. Under the old Canadian law, a Firearms Acquisition Certificate (FAC) allowed an individual to buy as many rifles and shotguns as they wanted over a five-year period. These guns were not registered, except at point of purchase, and cannot be easily traced to the original owner. Moreover, because guns are not registered as they enter Canada but at the point of sale, huge opportunities for large scale "leakage" were created. For example, a Montreal area import/export company (Century International Arms) has frequently announced the theft of thousands of prohibited and restricted weapons - only after police arrested individuals using them in the commission of a crime. Since 1988, 26 separate incidents of theft, loss or disappearance of guns were reported in connection with Century I.A. A recent criminal investigation, Project Pinball, uncovered an extensive network of "law-abiding" gun owners without criminal records who were buyng guns legally and selling them illegally. Over 2,000 firearms were seized and a dozen arrests were made in one of the largest seizures in Canadian history.[24]

■ *Firearms which are smuggled*: often but not always these are linked to other illegal trafficking, particularly drugs, and organized crime. Most (60-70%) of the handguns used in crime in Canada are smuggled. Several joint task forces including Project Gunrunner and the Provincial Weapons Unit have tracked large quantities of firearms to sources in the United States. This is a particular problem in larger cities such as Toronto, Montreal and Vancouver.

The Canadian Approach to Firearms Regulation

Despite vocal opposition by some sectors, consensus developed among experts in public safety in Canada. They agreed that Canada should:

■ control access to firearms by licensing owners
■ reduce the illegal gun trade and increase accountability by tracking firearms
■ enforce safe storage of firearms
■ prohibit the sale of firearms where the risk outweighs the utility (particularly some handguns and military weapons)
■ increase penalties and improve enforcement of the law
■ support implementation with effective education and training

Licensing Firearm Owners

Part of the problem surrounded firearms which were misused by their lawful owners. Firearms licensing is intended to reduce the risk by screening firearm owners. In addition to a criminal record check, initial screening included two references, spousal notification, a 28 day waiting period, a safety examination and may include a detailed investigation. The new law requires a license renewed every five years.

Because legally owned firearms are the weapon of choice in domestic murders, particular attention is paid to screening for risk factors associated with domestic violence. Other risk factors associated with violence and suicide are job loss, substance abuse or a history of mental illness. Significant education is also needed to ensure that all those involved from police to physicians to shelter workers, understand the risks and the measures available.

Safe Storage

Another problem surrounded guns which had been taken or stolen from their lawful owners. This suggested the need to improve compliance with enforcement of safe storage provisions. To keep children safe it is essential to keep guns away from them and all major groups concerned with the safety of children endorsed strong safe storage provisions. A recent trend in the United States is towards examining ways in which guns can be redesigned to make them more safe. Based on approaches used for other hazardous products, considerable effort is being directed towards gun design as well as advertising.[25] Advocates in Canada have suggested using consumer regulation in order to ensure that all guns be sold with trigger locks.[26] Few public safety experts have advocated widespread gun safety training for children although this is a favorite strategy for the gun lobby. In fact, public health experts in both Canada and the US have issued strong warnings that caution must be exercised in developing programs aimed at youth.[27] Educating children about the dangers associated with guns has been proven to be an unreliable safeguard. Youngsters commonly disregard their parents' warnings and may not understand the seriousness of the issue. Young children, being curious and impulsive, lack the developmental ability to comprehend the consequences of gun usage.[28] A study of children involved in accidental shootings showed that the children often did not know that the gun was loaded or believed that it was a toy gun.[29] A 1991 study of American gun owners demonstrated that gun owning parents frequently overestimate the effectiveness of education and supervision to protect their children from gun misuse.[30] In fact, education and supervision are some of the least effective measures parents can take while strategies which remain effective without constant attention or effort are more likely to prevent injury.[31] The inconsistency of education measures does not apply strictly to children. Research has suggested there is no link between training and safer firearms storage in the United States.[32] This may be because the individuals who undertake training in the United States have acquired guns for self protection and therefore are not inclined to store them safely.

Tracking Firearms

Tracking firearms is important in allowing police to take preventative measures. While many police forces now routinely ask about the presence of firearms in the home when making domestic calls, the victims may or may not know and often do not have precise details about the number or location of guns. Often police must rely on information provided by the accused or execute a search warrant in order to locate the guns. Currently, there are about 18,000 individuals prohibited from owning firearms and knowledge about who owns guns is needed to enforce them.

Tracking is also considered important in improving compliance with safe storage regulations by making firearms owners more accountable for what happens to their firearms. This will reduce the misuse and theft of firearms and assist in police investigations.

Improving the tracking of firearms is considered essential to controlling the illegal gun trade because it allows legal and illegal firearms to be distinguished. It also reduces the ability of licensed owners to acquire firearms and transfer them illegally to unlicensed owners. Systems which track firearms from point of entry is considered essential to controlling "leakage" and distinguishing illegal from legal firearms.[33]

Prohibiting the sale of Military Firearms and Small Handguns

Canada prohibited the sale of fully automatic assault weapons in 1978, it added semiautomatic versions of fully automatics in 1993 and has extended the prohibition of military weapons to include some semiautomatic weapons "not reasonably used in hunting or for sporting purposes". While some countries such as Australia have implemented compulsory buy backs to remove prohibited weapons from circulation, Canada "grandfathered" most of the current owners. Canada also prohibited the sale of some small barreled in addition to .25 and .32 handguns because of their concealability and unsuitability for target shooting.

The mix of guns which are misused varies from country to country but all sources must be addressed with a comprehensive regulation scheme similar to the ones in place in many countries and those recently adopted by Canada.

Recommendation 4. Member states should be assisted in implementing regulatory schemes which include:
- safe storage regulations for all firearms to reduce inappropriate access
- education and training programs to support compliance and effective implementation
- appropriate enforcement and sanctions for firearms misuse
- a licensing scheme to prevent the possession of firearms by individuals who pose a risk to themselves or others
- a record keeping system to track firearms, reduce illegal trafficking, and support law enforcement

Recommendation 5. Member countries which have not already done so should ban the export, sale or transfer of military weapons to civilians.

Import and Export Controls

Of the handguns recovered in crime in Canada, a large percentage (60-70%) had been smuggled, primarily from the US. This experience is not unique; even as far away as Japan, roughly 30% of the firearms recovered by police are traced back to the United States.[34] Effective tracking of domestic guns and their owners was considered essential in allowing us to identify and prosecute those who had obtained guns illegally, whether they were guns which had been stolen or imported illegally. At the time, it was clear that regardless of how strong our domestic controls were, we would experience problems if other countries did not introduce measures to control the illegal trade and trafficking.

At the same time, while Canada has little domestic gun manufacturing, it is a transit point for gun and ammunition traders. Canada's export controls have been inadequate to keep track of firearms and to prevent firearms from being shipped to restricted destinations. While some changes have been made, further restrictions may be required to fulfill our international obligations.

The Need for International Cooperation

Because gun regulation is a federal government power, Canada was able to introduce national standards for gun regulation. However, there is a limit to how much we are able to do alone. In order to reduce illegal trafficking and assist in investigations we need international standards and cooperation to control the illegal gun trade and track firearms. In addition, we need technical standards for information systems, for coding and for identifying firearms.

Recommendation 6. The development of international standards and agreements for identifying, tracking and tracing firearms must be an international priority. In addition, systems should be developed to improve tracking the sale of ammunition and firearm components.

The Costs of Gun Violence

It is certain that many will talk about the costs of firearms regulations. In many countries, guns are big business. Even in Canada, which does not have a sizable firearms manufacturing industry, firearms related activities are estimated to add over $1 billion to the economy each year. However, it is equally important to consider the costs of doing nothing, the costs of firearms death and injury. Those who try to put an economic value on human life have estimated the economic costs of firearm deaths and

injuries at $6 billion per year in Canada. [35] This does not take into account the costs to economic development to business and tourism of cities which have lost control of firearms. Nor does it take into account the costs to the families and communities of the victims which are inestimable. In Canada, victim advocates played a critical role by forcing us to put a face on the statistics.

Canadians have a constitutional right to life, liberty and security and Canada's Supreme Court has consistently upheld the right of the government to regulate firearms in order to protect public safety.[36] Similarly in Australia, improvements to gun control have been regarded as protecting fundamental human rights - the right to be free from the threat of violence. All citizens of the world have this fundamental right.

Recommendation 7: The declaration of principles should explicitly acknowledge the obligation of United Nations and member states to protect civilians from the threat of firearms violence. Not only do member states have an obligation to protect citizens within their borders but they also have an obligation to ensure that their regulatory schemes do not jeopardize the safety of citizens in other countries. Regulatory schemes must, therefore, be supported by effective implementation and enforcement.

Conclusion

The UN study provides a wealth of new and important information. But even prior to the study it was clear that the issues in Canada are not unlike the issues in many other parts of the world. In the United States of America, firearms violence has been called a "public health epidemic" and many groups are working to reduce the problem.[37] In some countries, such as Australia[38] and New Zealand[39], the problems with illegal trafficking are less acute but the proposed solutions are similar. In other countries such as South Africa[40] , it is impossible to separate the problem of crime and peace-building. Yet, the need to regulate the agent, firearms, is seen as essential. In other countries such as Japan[41] and Great Britain[42] , the problem of firearms seems infinitesimal compared to Canada yet they are determined to lose the peaceful and civil societies they currently enjoy. Yet many of the efforts to improve domestic regulations of firearms are similar and certainly the role played by Non-Governmental Organizations has been important in terms of providing expertise, in promoting public participation and in forging political will.

While there are those who will continue to argue that there is no evidence that improving firearms regulations will have any effect, we know there are also many who argue that we have insufficient proof that nicotine is addictive or that smoking causes cancer. In addition, there is a sense of urgency because the longer we wait the more difficult the task becomes. As the esteemed Dr. Martin Killias, University of Lausanne pointed out, "any further waiting for more convincing evidence may jeopardize more rigorous approaches to gun control since beyond a certain point [it] becomes a hopeless task."

Recommendation 8. The resolutions of the Crime Prevention and Criminal Justice Commission should be strongly supported. A comprehensive action plan with a specific timetable must be developed to implement them. Resources should be provided in order to ensure that all member states have sufficient capacity in the area of firearms regulation.

NOTES...

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[1] Kwing Hung, *Firearms Statistics (Updated Tables)* Research and Statistics Section, Department of Justice, August 1996. (A variety of documents on firearms research may be obtained from the Canadian Firearms Centre and the Canadian Justice Website)
[2] Ibid.

[3] Katherine Leonard, Canadian Pediatric Society and Canadian Association for Adolescent Health. *Brief on Bill C-68.* Presented to the Special Senate Committee on Firearms Regulations, January, 1997, and Katherine Leonard, "Firearms Deaths in Canadian Adolescents and Young Adults." *Canadian Journal of Public Health.* March-April 1994. Volume 85. No. 2.

[4] This point was made by many health care groups including the Canadian Public Health Association. An average of more than 1200 Canadians have been killed and over 1000 have been injured with firearms each year during the past 10 years. For example, in 1995, 911 Canadians committed suicide with firearms; 145 were killed with firearms in homicides; 49 died in "accidents", 6 were killed in legal interventions and 14 deaths were undetermined for an overall death rate of 3.8 per 100,000. See also Antoine Chapdelaine. "Firearms Injury Prevention and Gun Control in Canada." *Canadian Medical Association Journal.* November 1, 1996; 155(9). Other organizations testifying in support of licensing and registration included: the Canadian Public Health Association, Canadian Association of Emergency Physicians, Association Médicale du Québec, Conférence des Régies Régionales de la Santé et des Services Sociaux du Québec, le Conseil des Directeurs de la Santé Publique du Québec, Council on Suicide Prevention, Trauma Association of Canada, National Crime Prevention Council, Canadian Association for Adolescent Health, Alberta Injury Prevention Centre, Calgary Board of Health, Association Québécoise de Suicidologie.

[5] Ibid.
[6] Dr. David McKeown, Medical Officer of Health, Toronto, Affidavit, Alberta Court of Appeal, 1997. McKeown was referring to the Center for Disease Control study, "Rates of Homicide, Suicide and Firearm Related Death among Children - 26 Industrialized Countries." *CDC Weekly Report.* 46, 5, 1997.
[7] Dr. Isaac Sakinofsky, Ontario Council of Suicide Prevention. *Testimony before the Senate Legal and Constitutional Affairs Committee.* 1995. Thomas Gabor. *The Impact of the Availability of Firearms on Violent Crime, Suicide, and Accidental Death.* Department of Justice, 1994.
[8] Many women testifying before the Commission on Violence Against Women described how their husbands shot the family dog or cleaned their guns during the course of a dispute. Testimony to the Standing Committee on Justice and Legal Affairs was provided by the YWCA of Canada, BC Institute on Family Violence, Alberta Montreal Assault Prevention Centre. This pattern of behaviour has been reported in countries as far away as Australia. See also Dansys

Consultants, *Domestic Homicides Involving the Use of Firearms.* Department of Justice, March, 1992.

[9] Kwing Hung, op.cit., and Smuggling Work Group, *Study of the Illegal Movement of Firearms in Canada.* Justice Canada, 1995.

[10] The accessibility thesis has also been supported on a regional basis in Canada in Peter Carrington & Sharon Moyer, "Gun Availability and Suicide in Canada; Testing the Displacement Hypothesis." *Studies on Crime and Crime Prevention*, 1994. Areas in Canada with high rates of gun ownership also tend to have high rates of gun death. Antoon A. Leenaars and David Lester, "The Effects of Gun Control on the Accidental Death Rate from Firearms in Canada", *Journal of Safety Research*, 1997, Vol 28 (3) pp 119-122.

[11] Neil Boyd. *A statistical analysis of the impacts of the 1977 Firearms Control Legislation, Critique and Discussion.* August, 1996.

[12] Canadian Criminal Justice Association. *Testimony before the Senate Committee on Legal and Constitutional Affairs.* 1995. One of the most well-known studies was a comparison of Seattle Washington and Vancouver British Columbia. More recently, the costs of firearms death and injury in the two countries have been compared and estimated to be $495 (US) per resident in the United States compared to $195 per resident in Canada in Ted Miller and Mark Cohen, "Gunshot Costs and Cut Stab Wounds in the United States with some Canadian Comparisons", *Accident Analysis and Prevention*, 1997.

[13] Supreme Court of Canada: R. v. Felawska S.C.C. (Oct. 1993) R. v. Gosset, Finley and Creighton S.C.C. (Sept. 1993) R. v. Hasselwander S.C.C. (May, 1993).

[14] Studies which suggest guns are used extensively for self defence have been challenged on methodological grounds. See for example A.L. Kellerman et. al. "Gun Ownership as a Risk Factor for Homicide in the Home", *New England Journal of Medicine*, 1993 or Kellerman et. al. "Suicide in the Home in Relationship to Gun Ownership." *New England Journal of Medicine*, 1992 or Jon Vernick, et. al. "Regulating Firearm Advertisements That Promise Home Protection." *JAMA*, 277, 17, May 7, 1997.

[15] Kwing Hung, op.cit., F.B.I. Uniform Crime Reporting Data.

[16] Miller et. al. op.cit.

[17] Martin Killias, "Gun Ownership, Suicide and Homicide: An International Perspective." *Canadian Medical Association Journal*, April, 1993.

[18] Pat Mayhew and Jan J.M. Van Dijk. "Criminal Victimization in Eleven Industrialized Countries." *WODC*, 1997. (To order call 31-70-37-89-830)

[19] Criminologist Rosemary Gartner. *Testimony before the Senate Standing Committee On Legal And Constitutional Affairs.* September 20, 1995.

[20] National Crime Prevention Council, *Building Safer Communities*, 1996.

[21] Chris Smith and Alex Vines, *Light Weapons Proliferation in Southern Africa*, London, Centre for Defence Studies, 1997.

[22] *Report of the Smuggling Work Group*, op.cit.

[23] *Firearms Recovered by Police, A Multi-site Study.* Justice Canada, 1997.

[24] Robert Montrose. *Project Pinball; Media Release.* December 11, 1996.

[25] Stephen Teret. *Personalized Guns; Reducing Gun Death Through Design Changes.* John Hopkins Centre for Gun Policy and Research.

[26] Antoine Chapdelaine, personal communication.

[27] "Unfortunately, there is even the possibility that this kind of intervention can do harm. Because so many children and pre-adolescents now have extensive real life experience with violence in general, and gun violence in particular, discussion of guns can stir up anxious feelings. Physicians and others around the country have noted that the more violence experienced by children, the greater their likelihood of engaging in violence and carrying guns

(i.e., the greater their need for new attitudes and behaviours), and also the greater the anxiety that is stirred up by such discussion. Worse, evaluations designed to detect benefit from school-based and other innovations have shown no benefit beyond approximately 3rd grade, and disturbing evidence of harm (e.g., increased anxiety, even purchasing of guns)". Excerpt from HELP letter, December 1996.

[28] Katherine A. Leonard. *Statement on Behalf of the Pediatric Society*, 1997.

[29] Ibid.

[30] Canadian Paediatric Society, Canadian Association for Adolescent Health, op.cit.

[31] Ibid.

[32] David Hemenway, PhD, Sara Soinick, MS, Deborah R. Azrael, MS, "Firearm Training and Storage." *Journal of the American Medical Association* Vol. 273, No. 1, January 4, 1995.

[33] Pierre Sangolo, "Police Need Gun Registry, Sooner the Better", *Calgary Herald*, September 28, 1995, p. A15 and Canadian Association of Chiefs of Police, *Brief and Testimony on Bill C-17*, October 1st, 1991 and December 3rd, 1991. See also Canadian Association of Chiefs of Police, Resolutions, passed at the Annual conference in Montreal, August 25, 1994, the Canadian Association of Chiefs of Police, *Brief on C-68 to the Standing Committee on Justice and the Sollicitor General*, May 3, 1995 and the Canadian Association of Chiefs of Police, *Brief on C-68 to the Senate Committee on Legal and Constitutional Affairs*, June 29, 1995.

[34] Firearms Division, National Police Agency. *Firearms Control in Japan.* 1996.

[35] Miller and Cohen, op.cit.

[36] See also Scott Jacob. "Toward a More Reasonable Approach to Gun Control: Canada as a Model." New York Law School: *Journal of International and Comparative Law*, 15, 2&3, 1995 and "Living Next to the United States: Recent Developments in Canadian Gun Control Policy, Politics and Law" New York Law School: *Journal of International and Comparative Law*, 15, 2&3, 1995 and Andrew D. Hertz, "Gun Crazy: Constitutional False Consciousness and the Dereliction of Dialogic Responsibility.", *Boston University Law Review*, 75, 1, January 1995.

[37] For a comprehensive review of American literature on gun regulations in the United States, see Krista Robinson et. al., *Firearm Violence: An Annotated Bibliography*, John Hopkins Centre for Gun Policy Research, 1997 (To order call 01-410-955-3995). Also of onterest is the "Kids, Guns and Public Policy.", a special issue of *Law and Contemporary Problems*, Duke University, 1996 (To order call 01-919-613-7133).

[38] Australia Police Minister's Council, *Consolidated Resolutions Relating to Legislative Issues.* May 10, 1996 and July 17, 1996. The National Committee on Violence recommended a series of measures related to gun control in its 1990 report. The Former Federal Justice Minister also advocated a national system of gun regulation as part of the crime prevention strategy announced in May of 1995.

[39] Philip Alpers and Barbara Morgan. *Firearms Homicide in New Zealand: victims, perpetrators and their weapons, 1992-1994* and *The National Conference for the Public Health Association on New Zealand*, June 28th, 1995.

[40] Chris Smith and Alex Vines, op.cit.

[41] Firearms Division, National Police Agency. *Firearms control in Japan.* 1996.

[42] Lord Cullen, *Dunblane Inquiry*, 1996.

DRAFT

REPORT TO WHO / OMS (GENEVA)

on the

3RD UNITED NATIONS REGIONAL WORKSHOP ON FIREARM REGULATION FOR THE PURPOSES OF CRIME PREVENTION AND PUBLIC SAFETY,

AMERICAS REGION

SUMMARY RECOMMENDATIONS AND BACKGROUND

SAO PAULO, BRAZIL, 8-12 DECEMBER 1997

Québec, le 20 janvier 1998

To : Claude Romer, Chief, Safety Promotion and Injury Prevention, WHO, Geneva

From : Antoine Chapdelaine, WHO Expert and Focal point on firearms violence and injury prevention
WHO Collaborating Centre for Safety Promotion and Injury Prevention in Québec, Canada

Subject : United Nations 3rd Americas Regional Workshop on Firearm Regulation for the Purposes of Crime Prevention and Public Safety in Sao Paulo, Brazil, 8-12 December 1997

Purpose : Background for the Asian Regional Workshop on Firearm Regulation for the Purposes of Crime Prevention and Public Safety in New Delhi, India, 27-31 January 1998, with recommendations .

INTRODUCTION

Before going to this meeting in Sao Paulo Brazil, the WHO representative was acutely aware that in the Americas (South+Central+North America), there are over 100,000 lives lost to bullets each year. The costs of gunshot injuries and deaths are also significant. For example, in Canada alone, the annual economic cost of the misuse of firearms has been estimated at $6.6 billion (in 1993 Canadian dollars)[1].

Despite the mounting interest in preventing and controlling violent injury since the success of the land mine treaty, the goal with guns is different from land mines, as we cannot ban small arms such as revolvers, pistols and other light weapons that the police, security guards and hunters legally carry all over the world. The stakes in firearm injury prevention world wide concern on one hand : post conflict small arms proliferation and on the other : firearms kept at home for legitimised purposes, but misused in domestic and interpersonal violence, in suicides, in « accidents » involving children also.

A public health perspective strategy would be to consider all firearms injuries and deaths, notwithstanding the particular circumstances (wars, terrorism, conflicts, crimes, domestic violence, suicide, « accidents », etc.) in which they occur. The problem has one factor in common : the **inappropriate discharge of an accessible firearm**. Therefore, small arms control between nations is no different from firearms injury prevention within nations. An effort to regulate the circulation of firearms for controlling domestic use and international movement, should ensure better safety and health of individuals and groups within boundaries and the control of the licit and illicit transit of firearms across boundaries.

PUBLIC HEALTH BACKGROUND

Access to firearms is the key

Extensive research has established a correlation between *access* to guns and risk of death and injury[2]. The mere presence of a firearm in a home increases the risk of suicide[3] (4.8 times), of homicide[4] (2.7 times) and of "accident"[5], over a home where there are no guns.

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[1]Miller T. Costs associated with gunshot wounds in Canada in 1991, Can Med Ass J, 1995; 153 (9): 1261-1268.

[2]Kellermann A.L., Lee R.K., Mercy J.A., Banton J.: The epidemiologic basis for the prevention of firearm injuries. Annu. Rev. Public Health 1991; 12:17-40, p.30 and 31.

[3]Kellermann, A.L., Rivara, F.P., Somes, G., et al.: Suicide in the Home in Relation to Gun Ownership. New England Journal of Medecine 1992 Aug 13; 327(7):467-472.

[4]Kellermann, A.L., Rivara, F.P., Rushforth, N.B. et al.: Gun Ownership as a risk factor for homicide in the Home. New England Journal of Medecine 1993; 329(15):1084-1091.

Well established Public Health strategies, indicate that laws and regulations to control the access to firearms are a cost effective way of reducing injuries and deaths The key elements in such a strategy are : licensing of owners and record keeping of the circulation of firearms including, their manufacture, importation, acquisition, transfer, ownership and use [6].

Licensing of owners and record keeping of firearms would make owners accountable for the use of their firearms. Owners would be nominally responsible for what is done with their guns and how they are stored at home. It would reduce the likelihood that people at risk have access to firearms. It would allow firearms to be kept from people who have a history of violent or unstable behaviour. It would also assist police in adopting proper preventive measures, such as temporarily removing all firearms from the premises during an episode of attempted suicide or family violence.

Licensing of owners and record keeping of firearms should also help to control the importation and circulation of firearms as there can be no control without such information. If the police and customs cannot distinguish lawfully owned firearms (which would be registered) from unlawfully owned weapons, they cannot control gun trafficking and smuggling. By placing explicit legal responsibility on successive owners (including from manufacture or importation, acquisition and transfer, ownership and use) applying rules to sales between third parties and encouraging vendors to ensure that ownership is legally transferred to purchasers, licensing of owners and record keeping of guns, increases accountability. Once again, this strategy seeks to reduce access to firearms by those who are at risk of misusing them.

Improved licensing and registration also supports research and education campaigns, by providing reliable denominators for research (e.g.: for case-control studies) and for proper evaluation of the effectiveness of preventive and Public Health and Public Safety programs.

Fortunately, the Public Health tradition has much to bring to resolving this very complex issue, including the time-honoured and patient approach (since Dr. John Snow removed the handle of the pump to prevent a waterborne epidemic in London in the XIXth century) and the rigour (where prevention is best accomplished by first identifying, then breaking the causal chain of a disease or injury at its weakest link), it takes to do so. But, as Public Health is only the depository of problems and does rarely own the means to control or resolve them, it can only act as an honest broker or catalyst between a broad scope of sectors of society and now of international entities.

The stake here, is what strategy will be taken to approach small arms control without borders as well as firearms injury prevention within borders. WHO could be instrumental in proposing a Public Health strategy.

RECOMMENDATIONS

1. Considering WHA49.25 resolution on the Prevention of Violence as a public health problem and priority, and the Organisation's 3 year integrated scientific work plan of action, WHO/OMS headquarters in Geneva should strongly **support the work of the United Nations Commission on Crime Prevention and Criminal Justice**, mandated by the unanimous vote of 138 nations in 1995, followed by a 33-nation ECOSOC resolution L.19 (E/CN.15/1997/L.19/Rev.1); Resolution 1997/28, obtained at its Sixth Session in Vienna, 28 April - 9 May 1997 ;

2. WHO should support the UN Commission on Crime Prevention and Criminal Justice by taking the **leadership of proposing a public health strategy to prevent firearm violence world wide**. Such resolutions and proposals are to be circulated among the 40 member governments of the UN Commission on Crime Prevention and

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[5] Wintemute GJ, Teret SP, Kraus JF, Wright MA, Bradfield G. When children shoot children: 88 unintended deaths in California, JAMA 1987; 257:3107-3109.

[6] Chapdelaine A and Maurice P. Firearms injury prevention and gun control in Canada. Can Med Assoc J, Nov. 1, 1996;155(9), 1285-1289.

Criminal Justice, then returned in time for the 7th Session of the CCPCJ in Vienna, starting on 28th April 1998. The deadline for draft resolutions is 31st March, 1998 ;

3. For WHO, such a public health strategy could be to consider all firearms injuries and deaths, notwithstanding the particular circumstances (wars, terrorism, conflicts, crimes, domestic violence, suicide, « accidents », etc.) in which they occur. The problem has one factor in common : the **inappropriate discharge of an accessible firearm**;

4. Therefore, WHO's proposal could be to consider firearm violence, suicide, « accident » prevention and public safety for small arms control between nations as no different from firearms injury prevention within nations ;

5. A WHO resolution to the UN Commission on Crime Prevention and Criminal Justice should be sent in time for the 7th Session of the CCPCJ in Vienna, before the 31st March, 1998. It could read :

Considering the WHA49.25 resolution on the Prevention of Violence as a public health problem and priority, and the Organisation's integrated plan of action for violence prevention, WHO will support the UN Commission on Crime Prevention and Criminal Justice, in its data collection for mobilising knowledge and resources for action, to propose a public health strategy to better control domestic use and international movement, to ensure better safety and health of individuals and groups within boundaries and the control of transit of firearms across boundaries.

6. A WHO/OMS representative should attend the fourth and last Asian Regional Workshop on Firearm Regulation for the Purposes of Crime Prevention and Public Safety in New Delhi, India, 27-31 January 1998, to insure that the **public health perspective and interests are clearly taken into account into the final report** of the Commission on Crime Prevention and Criminal Justice at the next ECOSOC meeting in Vienna, starting on 28th April 1998.

CURRENT STATUS

The Commission on Crime Prevention and Criminal Justice in Vienna had asked Dr. Romer in Geneva for a WHO contribution to the "United Nations international study on firearm regulation". Dr. Romer requested in February 1997, that where possible a WHO Expert represent him on behalf of WHO at any relevant international meeting on firearm violence and injury. The first such opportunity was at the 3rd United Nations Firearm Regulation Workshop for the Americas Region in Sao Paulo, Brazil, 8-12 December 1997. These regional workshops (following Slovenia, Tanzania and preceding Delhi in January 1998) flowed from the resolution passed in Vienna in May 1997, on « Firearm regulation for the purpose of crime prevention and public health and safety », to the UN Economic and Social Council.

The "United Nations international study on firearm regulation", preceded the resolution, surveyed over 50 countries and covered the following topics: : criminal cases, « accidents » and suicides in which firearms are involved; national legislation and regulation at the regional and interregional levels; and international illegal movement in firearms. The study noted that:

- Controls on import and export of firearms are insufficient in themselves to prevent illegal trafficking
- The absence of effective firearm regulation in one member state can undermine not only the regulatory efforts but also the effective governance of other States.
- Effective domestic regulation of firearms requires the co-operation of all levels of government to promote crime prevention and public safety

The UN resolution encourages countries who have not yet done so to adopt regulations relating to: safe storage of firearms, appropriate penalties for serious offences involving the misuse of firearms, a licensing system to ensure that persons who are at high risk of misusing firearms are prevented from possessing and using them, and finally, a record-keeping system for firearms to assist criminal investigations, discourage theft and ensure the accountability of owners.

The resolution also requests that the Secretary General promote projects that recognise the relevance of firearm regulation in addressing violence against women, in promoting justice for victims of crime and in addressing the problem of children and youth as victims and perpetrators of crime and in re-establishing the rule of law in post-conflict peace-keeping projects.

The resolution requests the Secretary-General to continue the data collection and dissemination of information on firearm regulation, (...) and the enhancement of the existing database on firearm regulation; (...) to include in the provisional agenda for the four regional workshops on firearm regulation to be organised in 1997 [for] ... the collection of comparable information on firearm regulation, the provision of technical assistance, training and information-sharing and the need for implementing bilateral, regional or multilateral agreements or arrangements on combating illicit trafficking in firearms, in order to ensure that all Member States have sufficient capacity in the area of firearm regulation, and also requests that interested non-governmental organisations should each be allowed to make a statement at the regional workshops on subjects covered in their agenda but should not be permitted to attend workshop meetings where sensitive law enforcement issues will be discussed;

The resolution further requests the Secretary-General to seek views of Member States, institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, relevant United Nations entities (WHO ?) and intergovernmental and non-governmental organizations on the development of a declaration of principles, based on the regulatory approaches suggested above, and to submit a report containing the views received to the Commission on Crime Prevention and Criminal Justice at its seventh session;

The resolution also requests the Secretary-General to explore ways and means of developing a programme of continuing education for criminal justice administrators and of public education and awareness-building in relation to the links between firearms in civilian use and the unacceptable levels of violence in cities, communities and families and to disseminate that information in order to encourage Member States to undertake similar programmes: (...)

Further taking note of the work of the Inter-American Drug Abuse Control Commission of the Organization of American States (OAS) on the question of the control of the international movement of illicit firearms and explosives, including the proposal for the model regulation for the control of the international movement of firearms. (...)

The resolution invites the United Nations Panel of Governmental Experts on Small Arms established in pursuance of GA resolution 50/70, B, and other relevant specialised intergovernmental organisations to provide the Commission on Crime Prevention and Criminal Justice with available information about the results of their work in relation to the unlawful proliferation of military-style small arms in Member States; (...) (N.B. : their last meeting was on December 10 1997 in Washington, during the workshop held in Sao Paulo)

The resolution invites the other relevant intergovernmental organisations to re-analyse their data on issues related to firearms, within the scope of the international study on firearm regulation, with a view to informing the Commission on Crime Prevention and Criminal Justice, through the Secretary-General, of possible steps towards improving the collection and analysis of the related interdisciplinary statistics;

(...)

Furthermore, in the context of the successful campaign on land mines, there is a mounting world wide interest in stunting the flow of assault rifles and other small arms to troubled regions by seeking stricter international controls on the transfer of such firearms. Indeed, several nations around the world want to build on a new type of international diplomacy where NGOs and governments cooperate to formulate policy - a formula that worked for anti-land mine campaigners and their fight for a treaty banning mines - that could serve the small arms and firearms injury prevention and control issue. One of the first countries was CANADA (with Foreign Affairs Minister Lloyd Axworthy, who is working on a strategy along with the Canadian Centre for Foreign Policy Development, several NGOs and if possible along with the World Health Organisation[i]). Shortly after, the government of Sweden has proposed a global convention on the control of firearms. [ii] Now NORWAY - is joining in (with Jan Egeland, who was deputy foreign minister under Norway's former Labour government, who heads a campaign established by the Norwegian Red Cross, Norwegian Church Aid, the Norwegian Institute of International Affairs and the International Peace Research Institute Oslo, with financial and political support from the government). Recently, the VATICAN who seems to understand the domestic as well as international implications in the issue of firearms, also wants to take on a new challenge: the "massive proliferation of weapons of small calibre," like hand guns, said Cardinal Etchegaray, a top Vatican official : "No region of the world escapes the scourge of these weapons, so simple that even children can carry them and, unfortunately, use them."

In December 1997, the Federation of American Scientists, Arms Sales Monitoring Project, Regional, International, and Governmental Efforts to Combat the Illicit Traffic in Small and Light Arms, have listed on-going efforts by the international governmental community to address the dangers posed by the illicit traffic in arms:
The Council of Europe
Economic and Social Council (ECOSOC) of the United Nations/Commission on Crime Prevention and Criminal Justice
Crime Prevention and Criminal Justice Division of the United Nations/UNOJUST
Interregional Crime and Justice Research Institute of the United Nations (UNICRI)
European Institute for Crime Prevention and Control
European Union
Interpol (ICPO)
Group of Eight (G-8)
North Atlantic Treaty Organization (NATO)
Organization of American States (OAS)
The Organization of Economic Cooperation and Development (OECD)

Organization for Security and Cooperation in Europe (OSCE)
United Nations Institute for Disarmament Research (UNIDIR)
Canadian Government, Weapons Enforcement Unit
The Wassenaar Arrangement
World Bank
World Customs Organization
United Nations General Assembly Resolutions and Reports

Finally, as discussed at the 8th meeting of heads of WHO Collaborating Centres on Injury Prevention and Control on 22 October 1997 in Johannesburg, South Africa where were detailed the achievements and focus on gun injuries of the Quebec WHO Centre, we noted that our main role involved collating, appraising and disseminating epidemiological information on firearm injury and deaths, and doing advocacy to promote safety and injury prevention for WHO. Professor Leif Svanstrom of the Karolinska Institute in Stockholm, underlined the importance of this role, since WHO itself was not mandated to addressing the gun issue in a military, police or customs perspective. Nevertheless, considering the WHA resolution on « Violence as a public health problem », the firearm violence issue can now be addressed directly by WHO and its Collaborating Centres and Experts. Also, the UN recently completed international firearm survey, and the four workshops planned in 1997 were described and the meeting participants requested copies of reports covering both their own country responses and the international perspective, so as to apply these data to preventing firearm related injuries. A document proposed by Dr Rosenberg, from the Centers for Disease Control in Atlanta on «Implementation of the WHO Violence Prevention Plan», has a preamble about mobilising knowledge and resources for action, that could apply to the surveillance and prevention of firearm injuries.

« In all parts of the world violence extracts an unacceptably high toll, measured not only in terms of injuries and deaths, but also in terms of fear and diminished quality of life for victims, families and communities. Every step of the established WHO plan is ultimately directed at controlling this problem, preventing violence wherever possible, treating victims, and deterring perpetrators. This plan will address all causes of violence, including individual behaviours, structural factors in the social environment, and factors in the physical environment. It will collect information on all types of violence: self-directed, interpersonal, and organised violence. While it is important to enhance efforts at each step of the way, we are beginning this collective effort by organising our efforts to describe the extent and magnitude of the problem of violence in every country so that we can more effectively prevent it and mobilise for this effort the resources it requires. This effort must take into account input from participating member nations and must be user friendly, and widely disseminated. It should serve to mobilise nations to develop the capacity and participate in violence prevention programs involving many sectors working together. »

SAO PAULO WORKSHOP

Sao Paulo was the third in a series of four regional workshops held by the United Nations Commission on Crime Prevention and Criminal Justice, mandated by the unanimous vote of 138 nations in 1995,[iii] followed by a 33-nation ECOSOC resolution in May 1997.[iv]

At the 1st European regional workshop in Ljubljana, Slovenia 22-26 September 1997, the focus was on "Civilian firearms and civilian firearm regulation, with an international perspective." [v], and firearm injury prevention and domestic gun control laws and their role in promoting public safety was amply discussed. Where firearm regulations are canvassed as a means to: "Reduce the levels of crime and violence associated with the misuse of firearms." [vi] and to : "Promote... projects that recognise the relevance of firearm regulation in addressing violence against women, in promoting justice for victims of crime and in addressing the problem of children and youth as victims and perpetrators of crime." [vii] At the 2nd African regional workshop in Arusha, Tanzania 3-7 November 1997, the focus was on small arms that are left behind in post conflict situations and find their way into civilians hands. The uncontrolled availability and flow of assault rifles and other small arms and light weapons that are fuelling conflicts and exacerbating violence and criminality, thus threatening the security and safety needed for sustained development. This is compounded by high levels of poverty in the region which fuels theft, illegal sale, and barter of firearms for food. Much discussion evolved on strategies to reduce demand for firearms, considering that domestic peace is an important prerequisite in demand reduction for firearms for self-protection[viii].

At the 3rd Americas Regional Workshop on Firearm Regulation for the Purposes of Crime Prevention and Public Safety in Sao Paulo, Brazil, 8-12 December 1997, it was quite obvious that the issue was taken primarily through the criminal trafficking and international smuggling approach (the supply side of the equation as the disarmament people would say in contrast to the demand side considered in Arusha), and far less was discussed from the public health and public safety perspective of firearms injury prevention and domestic control approach than in Ljubljana.

That could be due to the newly negotiated multinational convention to curb cross-border gun smuggling throughout the Western Hemisphere by the Organisation of American States with a provision that bars the transfer of weapons from one country to another unless they are marked or licensed, that retained much of the interest in the Americas. Also the model regulations for the control of the international movement of firearms, their arts and components and ammunition approved at the OAS in Lima on November 4 1997, also attracted attention to trafficking and probably diverted from domestic and health/safety firearm related issues and preventive strategies.

At the Sao Paulo workshop there were fifty-four experts in firearm-related fields of police work, the army, customs and national security, Justice and Interior from 17 nations in the Americas[18] and from the Guardia Civil of Spain at the last five-day event, plus a representative from INTERPOL and WHO/OMS, as well as six representatives of NGOs. The NGOs sere equally distributed on both sides of the issue.

The NGO representatives invited to make statements at the opening session of the 3rd workshop were Mr. Philip Alpers from New Zealand for the International Fellowship of Reconciliation (IFOR) and Pr. Wendu Cukier from Canada for The Friends World Committee for Consultation (Quakers) and the World Society of Victimology. Mr. Alpers mentioned the work of Sir Thomas Thorp's "Review of Firearms Control in New Zealand". He also expressed concern at the recent National Rifle Association Institute on Legislative Action (NRA-ILA), local protest mail campaign, directed at United Nations Secretary-General Kofi Annan in New York, that primarily concern the *clientèle* of the US based NRA. He finaly cautioned the delegates against the "Eddie Eagle" gun marketing programme promoted by the NRA. Professor Cukier, (brief here enclosed, because oriented towards public health concerns) outlined recent research on the relationship between the availability of firearms and their subsequent use in crime, suicide, unintentional injury and death. She highlighted the urgency of initiatives to regulate firearms, discussed Canada's concerns at illicit cross-border trafficking of firearms and the limits of national efforts when neighbouring regions lacked controls , and urged delegates to take a public health approach to the prevention of firearm-related injury.

On Thursday December 11, the representative of the American Shooting Sports Council, Mr. Richard Feldman, who also represents the gun industry with Ms. Georgia Nichols a proprietor of the Mossberg firearms company, also attended under NGO accreditation from the US-based Congress on Racial Equality/CORE. Mr. Feldman, the firearms industry representative made a dissenting statement at Sao Paulo, but defended himself against any « obstructionism » by agreeing with the current OAS convention on smuggling and trafficking of firearms. Next, Mr. Ma Tomson from the National Rifle Association, who represents 3 million gun owners (of the 260 million US citizens), used veiled threats but clearly menaced the United Nations of reprisals if it failed to abandon its current direction : "Let me conclude by again emphasising the UN must concentrate its efforts on international aspects of this issue. Interference with domestic firearms law in the US can do nothing but harm the UN in the long term."

Finaly, Ms. Geraldine O'Callaghan from the UK for the British American Security Information Council (BASIC) and Verification Technology Information Centre (VERTIC), presented BASIC's recommendations on how to approach light weapons proliferation by controlling light weapons nationally as well as internationally. « It will be difficult if not impossible, to control the illicit international market in light weapons without also monitoring and controlling domestic access to weapons. » And a promising strategy to do so recommended by BASIC, is to « limit ammunition supplies », because it has a shorter shelf-life than the weapons in which it is used, it is rapidly consumed in conflicts, it is unattractive for smuggling since it has high weight for relatively low dollar value, it is difficult to produce.

The delegate from WHO/OMS, representing an intergovernmental organisation like INTERPOL, was not excluded from the Monday afternoon and Tuesday working sessions that were closed to NGOs to allow delegates from law enforcement agencies, to discuss "sensitive law enforcement issues." As the role of the WHO/OMS representative is to collate and disseminate information that is relevant to public health / safety and prevention, no statement was given on behalf of WHO in Sao Paulo, nor any interviews given to the media even if a few opportunities to address Paulistas on firearm injury prevention in Portuguese were offered - despite the OMS delegate's Carioca accent. WHO/OMS resolution WHA49.25 and background documents on the Prevention of Violence as a public health problem and priority, were deposited for the record. An update of the results of the « United Nations international study on firearm regulation » was requested and will be made available upon request.

Antoine Chapdelaine
22 Jan. 1998

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* The author of this note was supported to go to Sao Paulo, Brazil by the Canadian Centre for Foreign Policy Development along with the Office of the Minister of Foreign Affairs of Canada and wishes to express his thanks on behalf of WHO.

[ii] Legislative Background of the United Nations Project on Firearms Regulation for the Purposes of Crime Prevention and Public Safety. UN Crime Prevention and Criminal Justice Division. Annex 1; 5. Undated: distributed at Ljubljana, 22 Sep 1997.

[iii] Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Cairo, 29 April - 8 May, 1995. Resolution 9 (A/CONF.169/16/Rev.1, chap.1.)

[iv] Commission on Crime Prevention and Criminal Justice. Sixth Session, Vienna, 28 April - 9 May 1997. Resolution L.19 (E/CN.15/1997/L.19/Rev.1); Resolution 1997/28.

[v] Hayes, J. Statement by the Chairman of the Expert Group on Firearm Regulation to the Panel of Governmental Experts on Small Arms. United Nations, New York. July 8, 1997; 1: "The work of the Commission [on Crime Prevention and Criminal Justice] was mandated by the Economic and Social Council (1995/27), assisted by the Crime Prevention and Criminal Justice Division in Vienna, and the focus has been *civilian firearms and civilian firearms regulation*, with an international perspective" [original emphasis].

[vi] Syllabus of the European Regional Workshop on Firearm Regulation for the Purposes of Crime Prevention and Public Safety. United Nations Crime Prevention and Criminal Justice Division. Ljubljana, 22 Sep 1997.

[vii] Commission on Crime Prevention and Criminal Justice. Sixth Session, Vienna, 28 April - 9 May 1997. Resolution L.19 (E/CN.15/1997/L.19/Rev.1); Resolution 1997/28.

[viii] Mwansasu Wilson, Commissionner of Police, Dar-Es -Salam, Tanzania: Summary of the Chairman, African Regional Workshop on Firearm Regulation for the Purposes of Crime Prevention and Public Safety held at Arusha, United Republic of Tanzania, distributed at Sao Paulo, Brazil on 12 December 1997. Pp.2.

[ix] Antigua & Barbuda, Argentina, Barbados, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, Italy Mexico, New Zealand, Peru, Spain, Trinidad and Tobago, United-States, Uruguay.

THE BRITISH AMERICAN SECURITY INFORMATION COUNCIL

AMERICAS REGIONAL WORKSHOP ON FIREARM REGULATION FOR THE PURPOSES OF CRIME PREVENTION AND PUBLIC SAFETY SAO PAULO, BRAZIL, 8-12 DECEMBER 1997

Statement by Geraldine O'Callaghan, Analyst for BASIC

I would like to thank the Verification Technology Information Centre, VERTIC, for sponsoring my attendance at this workshop. The statement that I submit for your consideration does not necessarily reflect the views of VERTIC as it is the product of research and analysis undertaken by the British American Security Information Council, BASIC, an independent research organisation which analyses international security issues. The recommendations I will outline are the result of ongoing research by BASIC's Project on Light Weapons which is designed to evaluate the role of light weapons[1] and small arms in international, regional and national security.

BACKGROUND

The premise of BASIC's recommendations is that the proliferation of light weapons, both in conflicts and civil society, is a pervasive and continuing problem. Firearms control is an integral part of international arms control. The internationalisation of the gun trade enables gun control measures in one country to affect the levels of gun-related crime and violence in other countries. For example, the United States government's laissez faire approach to the gun trade both within and beyond U.S. borders has led to the influx of thousands of cheap Brazilian handguns and Chinese assault rifles and the export of U.S. firearms to drug traffickers in regions of conflict.

Just as the absence of domestic controls undermine international restraint efforts, the presence of domestic controls may increase the likelihood of successful international restraint efforts. It will be difficult, if not impossible, to control the illicit international market in light weapons without also monitoring and controlling domestic access to weapons.

BASIC acknowledges the substantial efforts of the UN Disarmament Commission, the UN Panel of Experts on Small Arms and the ECOSOC Commission on Crime Prevention and Criminal Justice to raise the profile of light weapons proliferation. We welcome the recommendations of the ECOSOC Resolution of 9 May 1997 on Measures to Regulate Firearms.

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[1] The working definition used by BASIC's Project on Light Weapons defines light weapons as including pistols and revolvers, rifles, machine guns, portable anti-tank and anti-aircraft weapons, mortars up to 100mm, associated ammunition, and anti-personnel mines. Major conventional weapons are understood to include: tanks, airplanes, ships, helicopters, mortars 100mm or over, artillery, anti-armour mines, armored personnel carriers, and non-portable missiles and missile launchers.

Due to time constraints I will limit my recommendations to practical measures for implementing the aims of this resolution in the following areas;

- controlling legal firearms flows
- controlling illicit weapons trafficking
- increasing the resources available to effectively implement control agreements

For detailed information on the recommendations proposed I refer you to the BASIC paper "Overcoming Domestic Obstacles to Light Weapons Control"[2] and the forthcoming BASIC research report "Combating Illicit Light Weapons Trafficking: Developments and Opportunities".[3]

BASIC's RECOMMENDATIONS

CONTROLLING LEGAL FIREARMS FLOWS

1997 has seen significant progress on regional and international efforts to control the illicit traffic in light weapons. Echoing concerns voiced at the United Nations (UN) over the last few years, regional institutions such as the Organization of American States (OAS), the European Union (EU) and the Group of Eight Industrialised States (G-8) have begun developing concrete proposals to stem these transfers. While these intergovernmental initiatives on illicit weapons are encouraging, these proposals address only one element of light weapons proliferation.

Targeting illicit trafficking may allow governments to clamp down on the black market trade but dealing with this aspect of light weapons transfers is not enough. It is not only the light weapons traded by criminals, bandits, and thieves that cause violence and suffering. Rather, governments themselves must re-examine their own policies and practices that contribute to the perpetuation of violence. The international community cannot allow governments to use controls on illicit trafficking as a smokescreen to divert attention away from their commitments and responsibilities as producers, suppliers and recipients of light weapons. Effective controls on light weapons necessitate a dual track approach addressing both licit and illicit transfers.

1. Improve national enforcement

Although most supplier regimes incorporate end-use certification into the national export controls, light weapons exports are not so stringently monitored as heavy weapons systems. There is much more tolerance of supply to third-party traders, and thus to possible circumvention of end-use statements and grey or black market trading. For instance, Between 1989 and 1993, the Office of Defense Trade Controls at the US

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[2] "Overcoming Domestic Obstacles to Light Weapons Control", Dr. Natalie J Goldring, Director of BASIC's Project on Light Weapons, April 1997.

[3] "Combatting Illicit Light Weapons Trafficking: Developments and Opportunities", Susannah Dyer and Geraldine O'Callaghan, January 1998.

Department of State verified end-user certificates for only 21 out of 1632 applications for small arms transfers to eight Latin American states.[4]

Recommendations

- Review existing end-use systems in supplier states and identify and adopt best practice through regional organisations and arms control bodies such as the Wassenaar Arrangement.
- Condition arms exports on the supplier state having the right to request, receive and check information on end-use delivery, and to be consulted if the recipient state is considering re-export or change of use.
- Exchange information on sensitive end-users and deny exports to countries with a history of systematic diversion.

2. Improving domestic legislation in post-conflict societies

In post-conflict societies, it is often the case that domestic legislation controlling the possession of weapons is either too lax or has not been enforced.

Recommendations

- Advocate the immediate review of domestic legislation governing weapons possession in conflict regions.
- As part of the post-conflict reconstruction process, states should impose or enforce existing licensing requirements on civilian possession of small arms and light weapons.

3. Links between military and civilian weapons

To date, military and civilian light weapons issues have been largely viewed as independent phenomena. In general, there has been little focus on the international consequences of light weapons transfers in the development of national legislation even though the distinction between arms control and firearms control has become increasingly blurred. As military weapons are diffused into civil society, their lethality is a cause for concern. This military-style weaponry, which has a far higher potential for violence, is now available widely on the international market. A semi-automatic civilian version of an M-16 can easily be converted into a fully automatic military-style weapon by installing a component widely available in the US from magazines and spare part shops.

Lax domestic legislation can clearly encourage international light weapons trafficking. National legislation on light weapons ranges from very lax to extremely stringent. Such inconsistencies can lead to situations in which lax laws in one country may fuel illegal trade into a neighboring country (e.g. US gun-running into Mexico and Canada). The reduction of international violence will require international cooperation and will require governments to acknowledge that the nature of light weapons, including their portability, value on the black market, and difficult traceability is such that each country's domestic situation cannot be viewed in isolation.

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[4] "A Review of Arms Export Licensing," Senate Committee on Governmental Affairs, cited in Micheal Klare and David Andersen, A Scourge of Guns, (Washington DC, Federation of American Scientists), 1997, p.66.

Recommendations

- Centralise information collection on military and civilian issues.
- Address links between military and civilian light weapons issues in international fora and develop control measures that deal with the blurring between the two categories.
- Enforce existing laws governing sales of weapons
- Provide sufficient resources to control national borders.

4. International laws on certain classes of weapons

One option is to ban entire categories of weapons that are especially indiscriminate in their effects. International agreements on particular types of weapons, such as dumdum bullets, have successfully banned these weapons, largely based on outspoken international opinion in favor of a ban on humanitarian grounds. Similar approaches are being taken internationally towards blinding lasers and anti-personnel landmines. Although national efforts have successfully banned classes of light weapons such as assault rifles. Domestic legislation banning certain weapons is not always matched with similar export bans. For example, Japanese and UK regulations ban certain weapons domestically but do not necessarily ban exports of the same weapons.

Recommendations

- Promote international agreements to ban the manufacture, import, export, and possession of junk guns (handguns which lack essential safety features) and other dangerous weapons such as Saturday Night Specials (non-sporting, low-quality handguns) and weapons deemed to be a particular public health risk (e.g. armour piercing ammunition, non-detectable firearms, casuals ammunition).
- Encourage consistency between domestic control and export policies - a weapon deemed dangerous for import/manufacture/sale in one country should then, by definition, be banned for export.

5. Strengthen domestic gun control

The global nature of weapons trafficking makes it essential that control measures address the domestic element of the trade. While active gun lobbies in countries such as the United States and Australia have been vocal in their opposition to both domestic and international measures, the connections cannot be ignored. Much like the drug trade, light weapons are well-suited to smuggling.

Recommendation

- Develop more stringent domestic controls. Domestic measures, such as the proposed one-gun-a-month law under consideration in the United States, could considerably reduce the incentives for large-scale trafficking.

6. Limit ammunition supplies

Limiting ammunition holds promise in helping to break the cycle of violence. Even if all transfers of light weapons were stopped today, the world would still be awash in them decades from now, because light weapons can last that long. But ammunition is rapidly consumed in conflict. Ammunition is also unattractive for smuggling, since it has

relatively high weight and relatively low dollar value. Reliable (safe) ammunition is also difficult to produce. Ammunition also has a significantly shorter shelf-life than the weapons in which it is used. For all of these reasons, limitations on ammunition supplies may be more feasible than limitations on the weapons themselves.

Recommendation

- In line with the UN Panel of Experts on Small Arms, the Commission should recommend that the UN should initiate a study on the problems of ammunition and explosives.

CONTROLLING ILLICIT WEAPONS FLOWS

Once a conflict ends, it is often extremely difficult for authorities to regain control of weapons that have flooded the country. For former combatants, with few marketable skills, weapons become a form of currency. In order to survive, they may use them for banditry or trade them within the civilian market for other goods. The market in illicit weapons often results in the dramatic increase in violence in civil society in regions of conflict. In El Salvador, for example, more people have died from criminal violence each year since the end of the civil war than in combat than during the years leading up to the peace accords.

The wide availability of automatic weapons, such as AK47's, in Mozambique and Angola has flooded Southern Africa with illicit weapons. South Africa has become one of the biggest market for the import and smuggling in of light weapons This in turn has fuelled a crime wave. A far higher proportion of crime in South Africa now involves the threat or use of a firearm. Out of the 18,312 murders committed in 1994, over 32 percent were committed with small arms and light weapons. During the same year there were 68,320 armed robberies, over 63 percent involved the use of firearms.[5]

1. Regional Co-operation

Efforts to address illicit weapons trafficking requires a dual track approach - controls and co-operation at the national and regional level. The OAS "Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials"[6] combines regional and bilateral co-operation. The move towards harmonisation is to be welcomed. The OAS convention provides an excellent regional model that could be easily adapted and agreed by other regional institutions.

Recommendations

- Promote the OAS Convention within the UN and the Wassenaar Arrangement.

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[5] Chris Smith, Light Weapons and the International Arms Trade in 'Small Arms Management and Peacekeeping in Southern Africa' UNIDIR Disarmament and Conflict Resolution Project.

[6] Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials," OEA/Ser. G, GT/CIFTA-18/97, 17 October 1997.

- Encourage other regional organisations, such as the European Union which is currently developing a programme on illicit weapons trafficking[7], to adopt the OAS convention as a model for increased harmonisation within their own region.
- The United States and Canada to promote the OAS Convention as a model for consideration to the G8 Summit meetings in 1998.

2. Improve the traceability of weapons

Improving the traceability of light weapons is a vital way to combat illicit trafficking as it will enable governments to impose accountability on exports at every link in the chain. Marking weapons at the point of manufacture and the point of import, as agreed in the OAS Convention, represents a policy option which will require co-operation and political will from both supplier and recipient states.

Weapons can be marked at manufacture without great cost, and many of these costs can be passed on to the producer. An effective marking system that enables a weapons to be traced through many transit countries may represent a technological challenge. Whilst developing the CICAD model regulations, OAS countries discussed randomly inserting microchips the size of a pinhead into weapons at the point of manufacture. All weapons would subsequently be imported via designated border posts where customs officials had the technological capacity to scan weapons to ensure tallied with the import license. However, there is an urgent need for further research to ensure that marking of weapons is unique and, more importantly, consistent with marking at the point of import.

Recommendations

- Incorporate measures endorsed by the OAS Convention to mark weapons at the point of manufacture and the point of import into other regional initiatives, especially in the European Union
- Allocate sufficient resources to research and implement marking systems at manufacture and import
- Provide customs officials with adequate training and resources to effectively trace imported weapons
- Investigate the feasibility of tagging ammunition

3. Improve record-keeping

Better control over the legal arms trade, including licensed production, will enable governments to ascertain what is legal and what is illegal. Technical improvements in the tracing of weaponry needs to be reinforced by an effective database either at the regional or, ideally, at the international level. Various offices of the United Nations, regional bodies such as the OAS, and governments all maintain statistics and databases on light weapons issues. However this information is not collated in one place for easy access by governments or the general public.

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[7] "The Programme for Preventing and Combatting Illicit Trafficking in Conventional Arms", A Council Declaration, 9057/97, 26 June 1997.

intelligence is crucial in order to [illegible] arms. With 179 Member States, Interpol is second only to the UN in terms of membership and would seem to be best placed for developing a database of illicit weapons seizures. The Interpol Weapons and Explosives Tracking System database (IWETS), covering all small arms right up to anti tank missiles, is the only completely international database for stolen and recovered weapons. However, the IWETS database has not been used to its full capacity. The vast majority of participation in the database, around 85 percent, is from European countries whilst information and co-operation from the American hemisphere is less than 5 percent.[3] Interpol plans to provide developing countries with computers, software packages and training but they remain under resourced.

Recommendations

- Allocate more resources to Interpol for the further development and implementation of the IWETS database in developing countries.
- Develop a system for centralized information collection and dissemination to provide accessible data on national legislation, international agreements and statistics on firearms-related issues, such as gun deaths, seizures and control efforts (e.g. public destruction, amnesties).
- Promote transparency of light weapons flows through the development of international and regional registers or databases on the import, export and national production of light weapons (e.g. through regional organisations such as OAS)
- Register all arms brokering agents and require them to be subject to licensing procedures. All brokers should be registered on a centralized database.
- Promote development of regional and/or global databases of authorised manufacturers, importers, exporters carriers of firearms, as discussed in OAS negotiations.
- Make statistics on seizures publicly available to facilitate research and policy development.
- Provide the United Nations with country reports on illicit trafficking, as directed by UNGA resolution.

4. Stem recycling and trafficking

Direct measures designed to prevent and interdict illicit light weapons trafficking are the first element in a comprehensive control program. Governments need to develop more international laws in this area, and institute stiffer penalties for smuggling and illegal possession. They must also improve border control through co-operation and technological improvements. In addition, more resources need to be dedicated to intercepting and uncovering illicit weapons, and facilitating improved policing, border control, information exchange and technological development.

Governments and regional bodies should also prioritise destruction. Weapons seized or collected after a conflict or through civilian amnesties are seldom destroyed. They later return to circulation as the result of poor stockpile management, theft, or discrepancies between domestic control efforts and export policies. In times of tension, warehouses can be broken into and weapons stolen, as occurred recently in Albania. The only way

[3] Victoria L Lester, Senior Crime Analyst, Firearms and Explosives, IWETS Program, Interpol.

to effectively reduce the number of weapons in circulation, in conflicts and in civil society, is to destroy all weapons seized.

Recommendations

- Incorporate mandatory and public destruction as an element in all weapons collection efforts (e.g. gun amnesties, seizures of illegal weapons).
- Address destruction as a priority within the demobilisation process and peacekeeping mandates to prevent military weapons entering civil society.
- Provide training, technical assistance, and an international support fund for destruction efforts.
- Institute verifiable record-keeping of collections/seizures as well as losses and destructions.
- Develop better co-ordination between short term disarmament programs and long term peace-building programs.
- Support related destruction efforts, such as destruction of surplus weapons, to prevent possible theft from storage facilities and recirculation.

5. Illicit weapons trafficking and drug routes

There are clear links between narcotics trafficking and the light weapons trade, including shared supply and transit routes, use of light weapons for "protection" among drug traffickers, and funding gun-running through the drug trade and vice versa. The political will of governments is much stronger on the issue of controlling narcotics trafficking. However, if governments are serious about stopping the drug trade, they need to begin to address the light weapons trade. Some drug control efforts have begun to collect information on related firearms offences and seizures, such as the Organization of American States Inter-American Drug Abuse Control Commission.

Recommendations

- Use drug cooperation as a model for international cooperation in controlling light weapons. For example, the Organization of American States has a comprehensive programme on narcotics control that attempts to compile country statistics on related seizures of firearms.
- Investigate the feasibility of incorporating light weapons control into existing international drug control efforts.

RESOURCES REQUIRED TO EFFECTIVELY IMPLEMENT CHANGES

1. Increased financial and human resources

Improvements will cost money. The recognition of the problems of light weapons proliferation, especially firearms trafficking, is to be welcomed. However, for current initiatives to move from statements of intent to effective and implementable agreements will require considerable financial and human resources. As yet, none of the OAS governments have committed any financial resources to implementation of the convention. Without ample resources, the commitments made on information sharing, record-keeping and tracing of weapons are unlikely to be met. The OAS Convention is

an important and valuable achievement however, many countries with illicit weapons trafficking problems lack the capacity and infrastructure to implement agreements.

Recommendations

- Countries with technical expertise and financial resources should commit substantial resources to support developing countries within the OAS to meaningfully implement the Convention.
- The developed nations within the OAS could contribute funds for developing countries participation in the InterpolIWETS database.

2. Developing a "Security First" approach

An important way of securing funds for implementing effective firearms control is to recognise the link between security and long term development and stability. Controlling light weapons is not just a law enforcement issue. In contrast to the OAS Convention, the EU Programme on illicit weapons starts from the premise that peace and security are inextricably interlinked to with economic development and reconstruction . This acknowledgment enables EU countries to provide substantial funds from development budgets to support capacity building for police and customs and to fund collection, buy back and destruction programmes.

Recommendation

- OAS states should consider firearms control within the broader context of development and post conflict reconstruction.

CONCLUSION

A coherent and comprehensive approach to light weapons proliferation is required. To control light weapons nationally, it will be necessary to control them internationally and vice versa. It is therefore vital for the various UN efforts and regional initiatives to work together in developing policy recommendations that enable cooperation at a regional and international level.

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